

COMMISSION CONFERENCE**JUNE 5, 2001**

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Present: Mayor Naugle
Commissioners Hutchinson, Katz, Moore and Smith

Also Present: City Manager, City Attorney, City Clerk and Police Sergeant

OB – “Mayor for a Day”

Mayor Naugle introduced *Ms. Chatal Haubrich*, a local Girl Scout and a student at Virginia Shuman Young Elementary School, who was serving as “Mayor for a Day.” He presented her with a Certificate of Appreciation, and Ms. Haubrich was recognized with an ovation.

I-A – Budget Advisory Board

The City Commission was scheduled to meet with the Budget Advisory Board to discuss issues of interest and concern. The City Manager said there had been some interesting discussions with the Board about its role under the Charter. Most recently, the Board had discussed when matters should be brought before the Board for input. He stated that most of the Board’s members had expressed interest in receiving materials relative to major budgetary initiatives before they were presented to the City Commission. The City Manager had indicated to the Board and to the Commission that he felt the appropriate sequence was to present matters to the Board at the request of the City Commission after presentation.

The City Manager said that he was not trying to minimize the importance of the Board’s role, but there had been an incident in the past in which the Commission had expressed displeasure about exploring an issue before it had been informed on the matter. From that experience, the City Manager had learned that was not the Commission’s preferred method of operation. He felt the Commission should make a determination as to whether or not it wished to pursue an idea first, and then the issues could be presented to the appropriate advisory board.

Mr. Harry Sweeney, Chairman of the Budget Advisory Board, felt the Commission should have the Board’s input before it voted on a policy decision, and the Board needed some time to review such issues. Mayor Naugle understood the matter that had raised this issue had been the Capital Improvements Program and the Water & Sewer matter. He suggested that the Board provide input between the Commission Conference review and formal action at a Regular Meeting. Mr. Sweeney agreed that would serve the purpose.

Commissioner Katz understood another concern was that the Board was not getting information in a timely manner, so there was sometimes insufficient time for review. *Mr. Ben Guenther*, Board member, stated that the Board met once each month, and members did not necessarily receive all of the necessary back-up material. In fact, information was sometimes derived from the newspaper, and members then raised issues at the meetings, but that was usually after-the-fact. He stated that the Board had been receiving more timely information over the past year because the City Manager or a representative was present at every meeting. However, Mr. Guenther thought the Board needed a little more lead time.

Commissioner Moore expressed appreciation to the members of the Budget Advisory Board. However, he differed with the Chair because this Board set its own agenda, and any matter the Commission discussed came up first at a Conference meeting. At that point, the associated documents were a matter of public record, so any member of the public could obtain the particulars of an item, including the Commission's comments, prior to any public hearing on an issue.

At 2:15 P.M., Commissioner Hutchinson left the meeting. She returned at 2:17 P.M.

Commissioner Moore agreed with the Board's concerns as to the budget process itself, but he also understood the City Manager's reluctance to present budget information to an advisory board prior to the policy board receiving it. However, he differed with the Board as to the Water & Sewer Bond issue.

Commissioner Smith was pleased to have an opportunity to take advantage of the expertise of the members of the Budget Advisory Board. He agreed that the policy-makers should have the "first crack" at an issue, and the Commission could then seek input from advisory boards, but he wanted the boards to have ample time to consider the issues. Commissioner Smith appreciated Commissioner Katz's efforts to contact Board members about the Water & Sewer issue, but he did not think the Commissioners should have to do that. He felt the City Commission should see matters first, but he thought the City Manager could time the issues so the Board had ample opportunity to review issues before the City Commission made final decisions.

Commissioner Smith thought the fact that this Board set its own agenda might be problematic. Although he felt Board members should be able to place items on its agenda, perhaps the City Manager should help set agendas to ensure items were not overlooked. Mr. Sweeney agreed that setting agendas had been a continuing problem. He advised any input from the Commission and the City Manager would be helpful.

Mayor Naugle noted that the Commission had specifically requested Board input from time to time, such as the Fleet Plan. *Mr. Ken Strand*, Board member, asked if the Board could receive copies of the Commission's minutes or tapes of their meetings when necessary. Mayor Naugle was sure that could be arranged. Mr. Sweeney advised that the Board could meet more than once each month whenever necessary. Mayor Naugle pointed out that the Board could also meet every other month if agendas were light.

The City Manager advised that he intended to present the budget message to the Commission on July 17, 2001, and in the past few years it had then been delivered to the Board and neighborhood groups. Mayor Naugle noted that the budget hearings were scheduled for September 12 and 20, 2001, and he suggested that the Board's meeting minutes from its August review be distributed to the Commission. Commissioner Smith thought a report from the Board prior to the first budget hearing would be helpful. Mayor Naugle pointed out that the Board could also provide input at the first budget hearing. Commissioner Katz preferred to have that information before the public discussion.

The City Manager pointed out that the whole idea of a public hearing was to have the deliberations take place publicly. Commissioner Katz suggested input from the Board at the beginning of the Conference meeting on September 5, 2001. Commissioner Smith noted that all of the materials were a matter of public record, and Mayor Naugle suggested a written report from the Board for the September 12, 2001 public hearing. He pointed out that there would be a second public hearing. It was agreed.

The City Attorney perceived the City Manager's concerns could be resolved by submission of a written report by the Board. Mayor Naugle suggested this process be used this year on a trial basis.

Mayor Naugle thought that when the Commission wanted items considered by the Budget Advisory Board, they should be raised at a Conference meeting, and then the Board could review such matters before any formal action at a Regular meeting. He was also comfortable with the Board setting its own agenda and ideas.

Mayor Naugle asked if the Board had heard a presentation on the take home cars (PAVE). He thought that was something the Board might wish to review sometime in the future. Mr. Sweeney noted the Board would be meeting in about a week, so that issue could be placed on the upcoming agenda.

Action: As discussed.

I-B – Capital Improvement Program (CIP) – Infrastructure Needs

A presentation and discussion were scheduled on the proposed CIP for infrastructure needs to be incorporated into the budget process for Fiscal Year 2001/2002. The City Manager noted that the Budget Advisory Board had devoted quite a bit of attention to the City's infrastructure needs.

Mr. Frank Coulter, Deputy Public Services Director, said he was present as Chairman of the CIP Committee. He stated that this was just a plan. Nothing had been finalized, and staff was seeking Commission direction as opposed to seeking approval of any specific dollar amounts or projects. He advised that this was not the whole CIP, but a small part of it involving only the General Fund, so it would not solve a lot of problems. Mr. Coulter explained that this program addressed recapitalization needs only and did not address many new projects. However, there would not be any new problems created because this program was contained within the existing CIP budget. With those caveats, Mr. Coulter presented the CIP as outlined in the written material distributed to the Commission in connection with this item.

Commissioner Smith inquired about the money for the Stadium. Mr. Coulter advised that there was a structural slab over the bleacher area at Fort Lauderdale Stadium that needed work, and there were a lot of electrical deficiencies to address. In addition, some of the seats were falling apart due to the age of the facility. Commissioner Smith inquired about the value of the Fort Lauderdale Stadium property. Mr. Pete Witschen, Assistant City Manager, advised that the land consisted of about 25 acres, and land in the area was customarily leased for about 10% of the market value. Mayor Naugle noted that the land could not be sold. Mr. Witschen agreed there were restrictions on its use.

Commissioner Smith understood the land could be leased for aviation purposes. Mr. Witschen agreed it could be leased for aviation purposes or commercial purposes that served the Airport.

At 2:34 P.M., Commissioner Moore left the meeting. He returned at 2:36 P.M.

Mr. Coulter explained that the CIP included the work that needed to be done in order to keep the Stadium property in its current use. He advised that the CIP had been presented to the Budget Advisory Board about a year ago after the infrastructure workshop with the Commission, and the Board had pointed out that facilities would continue to fail, and the City would never catch up at the current funding rate. The Board felt consideration should be given to leveraging the \$2.7 million to borrow more money over a set period of time to address some of these needs, and those things that really needed to be done could be addressed over the next 3 to 5 years. He stated that the Budget Advisory Board had reconsidered the issue about 2 months ago, and the Board had agreed infrastructure recapitalization was the appropriate direction to take.

Mr. Coulter explained that staff was not indicating that \$27 million was the right number, but the \$2.7 million per year would not do the job. In fact, considerably more than that would need to be spent each year for the next 3 to 5 years. He stated that staff would like to present \$6 million to \$8 million worth of specific projects in the first year as part of the budget process, using the \$2.7 million as leverage.

Mayor Naugle wanted to see the list of projects staff had in mind to address these needs, and he felt the City Commission should have a chance to tour the subject facilities. He was not sure it would be necessary to borrow that much money. He agreed some of the City's facilities were not the best, but they were not the worst either, and he thought public facilities should reflect the same standards as those in which the taxpayers lived and worked.

Commissioner Hutchinson distributed copies of a letter from the Cooley Hammock Homeowners' Association, and she stated that the taxpayers wanted Southeast 15th Avenue fixed. She stated that there was a big problem in this location, and the traffic was horrendous.

Commissioner Moore thanked staff for having the foresight to propose this CIP, and he agreed that some things needed to be fixed. He believed the Commission had seen that there were a number of facilities in decay during its recent tour. He wanted the City's financial consultant to come to a meeting to discuss how Fort Lauderdale's bond rating would be affected by leveraging these monies. Mayor Naugle agreed a financial presentation would be useful to the Commission.

Commissioner Smith agreed with Commissioner Moore and Mayor Naugle, but he also agreed with Commissioner Hutchinson that there were facilities the citizens wanted the City to fix. However, there were some things that were not really necessary. He did not want to accelerate the process and accumulate more debt for things the citizens were not clamoring for, although he did not want to see any facilities go out for service. Wherever possible, he felt things should be repaired rather than replaced, and he thought the Commission should reject this proposal and send staff "back to the drawing board."

Commissioner Katz was concerned about taking that approach because a lot of things had been put off for a number of years. She compared the situation to owning a home and putting off certain repairs, which could result in greater expense in the future. Commissioner Katz agreed the Commission should review the list and "take out the fluff," but a lot of work had been put off for some time and priorities had to be set. For example, there were bridges that were falling down, and she did not think this proposal should be rejected out of hand. Rather, Commissioner Katz preferred to review the list to see if there were some projects that could be deleted while critical projects were addressed.

Commissioner Moore still felt a presentation from a financial advisory was important before the Commission started reviewing the project list. He thought it would provide a “reality check.” He agreed there were certain things the citizens had requested, and the CAP initiative was one of them. Commissioner Moore believed there might be some bonding capacity in that area, and he thought the public often wanted those things they saw every day, but the public might feel differently if it were aware of the other needs.

Commissioner Smith thought the process should be handled slowly, item by item. Mr. Coulter hoped the Commission understood there were certain facilities that were failing. For example, the air conditioning at the War Memorial Auditorium had been out of service for two months, and there would be a longer list next year. Mr. Kisela noted that each facility had been examined and, although there were some aesthetic-type projects listed, but the majority of the projects related to basic recapitalization. Mr. Coulter advised that the CIP Committee strongly urged that recapitalization monies not be spent on new things. Commissioner Katz agreed the old should be fixed before anything new was purchased.

Mayor Naugle summarized that a financial presentation would be made, and a specific list of projects would be presented. The City Manager stated that whenever a comprehensive list of needs was formulated, there was always a risk of the perception that there had not been a lot of study. In this case, it had taken about 2 years to develop a list, and about 6 months had been spent studying the water and sewer issue. The City Manager explained that staff envisioned handling these projects incrementally, based on the Commission’s established priorities. He noted that the City had been very conservative in its spending in the past, and \$1.6 million per year would not keep pace with the rate of infrastructure deterioration. However, he believed the City was in a good position to accelerate necessary work in terms of current debt ratio.

Commissioner Katz thought there had been a “pay as you go” policy in the past. Commissioner Smith believed that had been the idea, but it had not actually occurred. Commissioner Moore believed the problem was that the infrastructure was aging, and the work had just not kept pace. Commissioner Smith felt that after these corrections were made, the City should attempt to keep pace in the future. Mayor Naugle pointed out that a lot of energy had gone into the 1986 and 1990 bond issue projects.

Action: Financial presentation to be scheduled and more detail list of projects to be presented.

I-C – Mechanical Parking Facilities

A discussion was scheduled on the concept of mechanical parking facilities under the City’s Unified Land Development Regulations (ULDR). Mayor Naugle noted that a written report had been distributed, and he thought this could be done in a way that did not automatically allow a project to be larger. At the present time, however, the Code did not even allow this use, and he thought staff should explore how other cities handled this type of facility. Mayor Naugle believed West Palm Beach and Miami Beach had regulations in this regard. Commissioner Moore believed there were proposals, but nothing had been implemented.

Commissioner Smith understood there were drive aisles in a mechanical system. Ms. Cecelia Hollar, Construction Services Director, explained that a mechanical system allowed the user to drive in and park a vehicle with a remote that lifts it up or down to allow more spaces. A robotic system, on the other hand, involved a computer that sent the cars to spaces without any drive aisles.

At 3:00 P.M., Commissioner Moore left the meeting. He returned at 3:13 P .M.

Mayor Naugle stated that these systems were being used around the world, and there had been a mechanical garage in Fort Lauderdale in the 1930s and another in the 1920s. He said one problem had been that someone might not be able to get their car if there was a breakdown, but the newer generation of facilities and 2 or 3 mechanisms that could be used in the case of a breakdown.

Ms. Hollar stated that under the public purpose functions of the Code, this type of facility could be presented to the Commission for approval without having to amend the Code. She said that was one option that could be utilized under current regulations. Mr. Kisela said staff was reluctant to go forward with a Code amendment without all the details. Commissioner Katz understood a new section of the Code could be prepared based on general design principles. Mr. Kisela advised that another mechanism was for an applicant to seek a variance from the Board of Adjustment. If it was denied, the matter could be presented to the Commission through the dispute resolution process.

Commissioner Katz recalled that such an issue had gone to the Board of Adjustment already, and the Board had not felt they should rule. Ms. Hollar believed the concern had revolved around potential noise and a change in the character of the particular project because instead of just serving the development, there would be additional spaces for other users. Mr. Kisela agreed that variance request had been denied, but it could have gone on to the dispute resolution process. The City Attorney believed a simple Code amendment could be accomplished more quickly than the dispute resolution process and at less cost. However, staff was concerned that there was not enough technical information available to include in such an amendment. From a legal standpoint, though, the Commission could simply adopt a Code amendment that allowed mechanical or robotic parking systems, or both, subject to a case-by-case analysis.

Commissioner Hutchinson asked if the areas where these might be allowed could be limited. The City Attorney replied the locations could be limited. Commissioner Smith understood a garage in Palm Beach would be operational soon.

Mr. Ralph Bevy, of Robotic Park, stated that there was one in Pinellas Park under construction, and it should be finished by the end of the summer. It would contain 150 spaces. Commissioner Smith thought the Commission should take a look at it firsthand.

Ms. Barbara Hall, representing Pinecrest Apartments, explained there was a parking issue the property owners wanted to resolve through some combination of structured parking and mechanical parking. She thought it would be a big help if this type of parking facility was available. Ms. Hall said that a mechanical lift was being considered to move vehicles to the second floor in order to minimize ramp space that would use valuable parking space.

Mayor Naugle believed this issue should be presented to the Planning & Zoning Board, perhaps in a workshop setting. He suggested that staff examine the facilities proposed in West Palm Beach and Pinellas Park. After more was learned, an ordinance could be considered, and he hoped to eliminate the architectural blight on the City along pedestrian areas.

Commissioner Moore thought the City should deal with the issue of designing parking garages. He felt design guidelines should be established to make garages more aesthetically pleasing. He did not understand why this seemed to be so difficult. Mayor Naugle agreed that was true, and he thought aesthetics could be addressed if mass was addressed.

Commissioner Smith suggested the Commission revisit this issue in September. Mayor Naugle agreed staff and the Planning & Zoning Board could consider it over the summer. Commissioner Hutchinson requested the address of the facility in Pinellas Park. Commissioner Smith asked the City Manager to arrange invitations to visit the facility.

Action: As discussed.

I-D – Road Closures for Major Development Construction

A discussion was scheduled on road closures for construction of major developments in the City. This discussion had been deferred from the May 15, 2001 meeting. Mayor Naugle said the first time he thought this issue should be addressed had been when City administration had closed 1st Street for an office building under construction. Later, 3rd Street had been closed during the construction of the Hampton Inn, and 2nd Street had been closed for some underground work by Southern Bell. He recalled that different roads had also been closed on the beach, and he thought City Commission endorsement of such closures should be required.

Commissioner Hutchinson agreed with Mayor Naugle. She said the Cooley Hammock neighborhood had some concerns due to the closure of Southeast 8th Avenue and Southeast 1st Street. Some sewer work had then been done on 8th Avenue, and it had been a nightmare in that location for 5 days. It had also had a huge impact on the Cumberland Building, and no one had been notified that 8th Avenue would be closed. Commissioner Hutchinson thought the Commission should receive maps so they would know what roads were being closed in advance.

Mayor Naugle wanted to clarify that this proposal related to buildings that were under construction as opposed to sewer projects and the like. Commissioner Smith felt the Commission also needed to know about public utility work. Commissioner Hutchinson agreed. Commissioner Moore thought it was best if staff handled these things. Commissioner Katz felt there should be one general source, but she did not know if these things should come to the City Commission. He thought that was too much like micromanaging and suggested that staff be given better instructions.

Mayor Naugle pointed out it was being handled by staff now. Commissioner Moore suggested the Commission deal with a time period. For example, if a closure was going to be less than a specified number of days, staff could deal with it. Mayor Naugle thought that was a good idea. Commissioner Smith suggested that if the Commission was informed, perhaps it could have call-up privileges. Commissioner Hutchinson thought the district Commissioner should at least be informed. Commissioner Smith suggested a 30-day notice and call-up ability on a decision to close a road.

Mr. Kisela stated that there were a lot of short-term closures. He explained that staff did not start to hear details until a developer came in for permits. At that time, information was provided about how a developer proposed to construct a project, and the City, County and State Traffic Engineers started working on street closures that would be workable. Mr. Kisela felt a better job could be done of communicating with affected property owners and neighborhood associations, but some closures affected a tremendous number of people if they involved critical corridors.

Commissioner Smith asked if a 30-day notice period with a call-up process would be workable. The City Manager said he was concerned about time and the desire for quality construction projects. He was also concerned about the costs that would be associated with projects operating on a "postage stamp" if a road closure was denied. Mr. Kisela agreed 30 days could create delays. Commissioner Smith suggested a 15-day notice period.

Mayor Naugle pointed out that some cities did not permit roads to be closed and required developers to have a staging area for the materials. He felt this sort of thing should be considered during the design of major projects. Commissioner Hutchinson did not understand why the City had to be so accommodating as to allow staging in its streets. She felt all these road closures were a problem. Commissioner Smith agreed, but when there was potential for a project that would benefit the community and might be marginal, he did not want to tell the developers they would have to rent space down the street. He pointed out that there were areas that desperately needed redevelopment.

Commissioner Smith asked if the Commission was comfortable with a 15-day notice period. Mayor Naugle was, and Commissioner Katz thought it was workable. The City Attorney noted that this could be handled as a policy matter. Ms. Hollar suggested that staff be given an opportunity to work out a policy. She noted that the Property and Right-of-Way Committee could provide input as well. It was the consensus of the Commission to provide a 15-day call-up period for street closures that were proposed to last for more than 30 days.

Mayor Naugle referred to road work. He stated that the Marshall Bridge was out of order, and a part had to be ordered. He had noticed a sign last week indicating that 3rd Avenue and Andrews Avenue would be closed on June 1, 2 and 3, at Broward Boulevard, which would have presented tremendous difficulties. Mr. Kisela stated that part of the problem was that the State was doing the work on Broward Boulevard, and the County was doing the bridge work. He advised that one of the large components of the water and sewer plan would be working with all of the affected people. He stated that the work would be done street by street.

The City Manager understood the frustration, but during this period of positive, planned growth, there would be problems like water line breaks, etc. However, staff would try to do a better job of coordinating the work and keeping everyone informed. Commissioner Smith thought the major problem with the work on 8th Avenue had been that everyone had to use 15th Avenue. He felt there should have been police officers assigned to help move the traffic better. Commissioner Hutchinson noted that the contractor had done a great job.

Action: As discussed.

I-E – Request for Proposals (RFP) – State Legislative Lobbyist

A discussion was scheduled on the proposed RFP for state legislative lobbyist services. This discussion had been deferred from the May 15, 2001 meeting. Mayor Naugle asked if each bidder could submit a list of their clients and require them to maintain a client list during the contract period. Mr. Bud Bentley, Assistant City Manager, understood he was referring to the clients of the entire firm as opposed to the specific lobbyist. Mayor Naugle agreed that was his thought.

Commissioner Katz asked if an evaluation committee had been formed, and Mr. Bentley replied it had not yet been formed. Commissioner Katz suggested that Mr. Alan Gabriel be invited to serve.

Action: Approved as discussed.

I-F – Temporary Street Closures – Flagler Heights/Progresso Neighborhood

A discussion was scheduled on a proposal to install temporary street closures in the Flagler Heights/Progresso neighborhood. Commissioner Hutchinson asked who was paying for this, and Mr. Greg Kisela, Assistant City Manager, stated that temporary closures typically came out of the City's budget.

Commissioner Smith stated that this area was not really Flagler Heights. He stated that it was an area west of Andrews Avenue within Commissioner Moore's district, and there was very little viable residential development. He felt consideration should be given to moving those people out and bringing in industrial uses. Commissioner Moore felt the closure had to be done, and he felt the community should talk about reuse of the properties in the area. Commissioner Smith concurred. Mayor Naugle noted that if the zoning was changed, permanent closure might not be necessary.

Commissioner Katz asked where the money was coming from, and Mr. Kisela advised that Mr. Partington had some miscellaneous funds in the traffic budget that could be used for a temporary closure. Commissioner Katz asked if it was part of the CIP fund being considered for bonding. Mr. Castro advised it was part of the \$1.6 million CIP, but not bonded.

Commissioner Smith asked when the process for the permanent closures that had already been approved would begin. Mr. Kisela agreed to provide a report. Mayor Naugle understood there would be a public hearing.

Action: Approved as discussed.

I-G – Annexation Action Committees

A discussion was scheduled on a proposal to create and provide funding for Annexation Action Committees, for the purpose of supporting annexation into the City. Mayor Naugle understood this would be done only after a study was performed. Mr. Pete Witschen, Assistant City Manager, stated that the City Commission had directed staff to do a study, and he anticipated a bill, so there was a tool to inform communities. He explained that the Melrose and Riverland communities would know what Fort Lauderdale could offer. Mayor Naugle asked if the trigger would be when an election date was set, and Mr. Witschen replied that was correct.

Mr. Witschen clarified that the cap per annexation area would be \$5,000, and a resolution would be presented at the next meeting with the Commission's concurrence. Mayor Naugle inquired about the election dates on these two areas, and Mr. Witschen replied that the Melrose election would be in September, and the Riverland election would be in March. Mayor Naugle inquired about the effective dates, and Mr. Witschen advised that the effective date for Melrose would be 2002/2003, and Riverland would be September, 2002. He explained that Melrose would have the choice of which year it was annexed.

Commissioner Katz wondered why money was needed for Melrose when there was no choice other than the year. Mr. Witschen explained that the intent was to provide information about what a neighborhood could expect from an annexation. Mayor Naugle understood Commissioner Katz was indicating this should be done only in cases of contested elections. Mr. Witschen explained this was intended to get the neighborhood's cooperation to ensure the County stepped forward to provide anticipated infrastructure. Mayor Naugle thought informational materials could still be sent out.

Commissioner Moore felt this was necessary even in uncontested elections because he would not care for the perception that one community had money to advertise, etc., while another did not. Further, the public needed to know the details of the value and benefit of being annexed or remaining in an unincorporated area. In addition, it provided opportunities for neighborhood associations to be advocates of the concept. Commissioner Moore viewed this as a "value added" process. The City Manager added that the perception was of concern, and there had been a newspaper story indicating that the City had been forced to consider Melrose. Although nothing could have been further from the truth, it was necessary to reach out to the neighborhoods and get support to ensure promised capital improvements were provided.

Commissioner Katz still did not feel it made much sense to send this information to Melrose Park at this point in time. Once the neighborhood had voted to be annexed, there would be something of an initiation period in which information would be needed, and perhaps a follow-up meeting. She believed this neighborhood had been pushing to be annexed into Fort Lauderdale, and she thought it would be better to keep the neighborhood informed after the vote rather than to spend the money now. In the case of Riverland, there was reason to spend the money at this time.

The City Manager understood Commissioner Katz's concerns, but if you examined the associations with the Golden Heights and Palm Aire Village neighborhoods, money had been spent on presentations, mailings and surveys before the vote and afterwards. There were also other areas the Commission might want to consider that would involve the investment of some resources in order to get the message out. The City Manager believed that whether or not each of the areas were treated equally was something that would be examined.

Mr. Chris Wren, Office of Community & Comprehensive Planning, stated that there had been a meeting last week, and a question had come up about the City continuing to work with and inform the neighborhood. He noted that a continuation of the work had been expected. Mayor Naugle felt this had to be done because of the perception, although he understood Commissioner Katz's frustration.

Action: Approved.

II-A – Public Rest Rooms at Hugh Taylor Birch State Recreation Area

A report was presented on a proposal from Hugh Taylor Birch State Recreation Area to move its public rest rooms outside park boundaries in order to provide free access to the public. Mayor Naugle understood the idea was to make the restrooms accessible without having to pay the park admission. Mr. Phil Thornburg, Parks Superintendent, stated that instead of providing \$20,000 for lifeguards, the State proposed to use the money for the restrooms and make them available to the public.

Commissioner Katz thought it was unconscionable that the State was offering the public the choice of going to the bathroom or protection from drowning. She was glad the public would have restrooms, but she was not happy that funding for lifeguards would be eliminated in exchange. Commissioner Katz suggested that the City approach Senator Sanderson for some help in this regard. Commissioner Moore agreed that was a good idea. The City Manager did not expect that would provide any immediate relief.

Mayor Naugle thought the City should seek more money from the State for lifeguards. The City Manager advised that had been tried in the past without success. Commissioner Smith suggested that it be given another try between now and the next meeting. If the effort was not successful, this plan could be moved ahead. He noted that a study had shown that 75% of the people parking in the vicinity of the Park were not City residents, and he felt the State had some responsibility.

Mayor Naugle did not think pay toilets would be a bad idea. Commissioner Katz did not feel people should have to choose between going to the bathroom and having lifeguards. Mayor Naugle agreed the State should also be requested to pay more money for lifeguards and restrooms.

Action: Staff to seek additional funding from State.

II-B – Development Order – Fort Lauderdale/Hollywood International Airport

A report was presented on the conditions in the Development Order relating to the expansion of the Fort Lauderdale/Hollywood International Airport. Commissioner Hutchinson was concerned that the timeline would be missed for the project at State Road 84 and 9th Avenue. She understood that the County would not pay to eliminate the right hand turn lane unless a January, 2002 deadline was met. Mr. Hector Castro, City Engineer, stated that the third revision of the plan was underway with the Department of Transportation because highway access for a proposed hotel was necessary. He stated that the design was complex, but the plans had been resubmitted to the State.

Mayor Naugle wondered if this would be a suitable location for the Cancer Survivors Plaza. Mr. Kisela believed it would fit the criteria. Commissioner Hutchinson stated that the berm on 9th Avenue was also a mess. She advised that two oak trees were dead, and she inquired about the irrigation system. Commissioner Hutchinson had thought the City was going to maintain this area. Mr. Kisela said he would ensure it was on the maintenance schedule.

Mayor Naugle asked the City Manager to bring forward a plan on how to implement this project within the dictated time frame in order to take advantage of the funding. Commissioner Hutchinson pointed out that the funding window would close in 6 months. Mayor Naugle wondered if the County could extend the deadline. Mr. Kisela said that request could be made, but it was his understanding that the project had to be approved by January 1, 2002. He was hopeful the plan could be pushed through the State by that date. Mayor Naugle thought that if good faith efforts were being made, the County would probably grant an extension.

The City Manager noted that the County had considered the Airport plan today, and the County Commission had endorsed it in a manner favorable to the City with respect to the extended runway. He had asked the City's Airport Manager to monitor the situation and provide updates. Commissioner Hutchinson asked if the Commission could receive a presentation about the Airport Expansion. The City Manager thought that could be accomplished at the June 19, 2001 meeting, and the meeting could be started half an hour early. Mayor Naugle suggested a presentation be scheduled for 2:00 P.M. on either June 19 or July 10, 2001.

Action: Approved as discussed.

II-C – Cherry Building Property, 221 Northwest 6th Avenue

A report was presented on the status of the relocation of the Cherry building, located at 221 Northwest 6th Avenue. Mr. Pete Sheridan, Assistant City Engineer, stated that 1 proposal had been received, but it had been a “no bid.”

Commissioner Moore believed the information provided as to the cost of the relocation had been inflated. He had heard that from several people, but there was one individual who was very interested and was willing to purchase a property to which to move it. However, he needed greater participation on the part of the City. Since there had been no proposals and everyone agreed too many of these buildings had been destroyed, he hoped the City could find some way to save this building.

Mayor Naugle understood the City had agreed to contribute \$5,000. Commissioner Moore believed this individual would be willing to go forward if the City contributed another \$5,000. Mayor Naugle had no objection. Commissioner Smith suggested that private funds be raised. Commissioner Moore inquired about the time frame. Mr. Sheridan stated that the proposals had been requested within a time frame designed not to impact the project schedule associated with this property. He believed that seeking new proposals would cause delays, although he did not know what the monetary impact would be at this point.

Mayor Naugle said he would be in favor of contributing another \$5,000 if the building could be moved by June 20, 2001. Commissioner Moore supported the idea. The City Manager advised that there were certain rules and regulations related to the disposition of public property. Mr. Kirk Buffington, Purchasing Manager, believed this could be “fast-tracked,” but the offer had to be made to everybody and not just one individual.

Mayor Naugle felt new proposals should be sought with the City contributing another \$5,000 and a condition that the house be moved by June 20, 2001. In the meantime, a demolition contract should be executed so the building could be demolished on June 21, 2001 if efforts to move the building were unsuccessful.

Mr. Bentley thought there was an alternative. He noted that some private fund raising had been suggested, and the bid deadline under the current proposal could be extended for 5 days to see if anyone would come forward on the basis of additional private funds. Commissioner Moore asked if the building could be donated to a non-profit organization. Mr. Bentley stated that agreements could be entered into with not-for-profit organizations on a non-competitive basis. Commissioner Moore wanted to consider making it a gift to a not-for-profit organization with a \$5,000 contribution from the City. Mr. Bentley said that could be done if an organization stepped forward before the next Commission meeting.

The City Manager advised that a walk-on motion would have to be adopted this evening to authorize this gift. Mr. Sheridan added that the building had to be moved within 30 days or the City could be subject to potential costs of \$1,000 per day if the project was delayed.

Action: Motion to be considered at Regular Meeting.

III-A – Advisory Board Vacancies

1. Beach Redevelopment Advisory Board

Commissioner Moore wanted to appoint Evelyn Lewis.

Action: Formal action to be taken at Regular Meeting.

2. Board of Adjustment

Commissioner Hutchinson suggested the appointment of Don Winsett as an alternate member of the Board of Adjustment.

Action: Interview to be scheduled for June 19, 2001 Conference Meeting.

3. Board of Commissioners, City of Fort Lauderdale Housing Authority

Mayor Naugle wished to reappoint Tam A. English to the Housing Authority.

Action: Formal action to be taken at Regular Meeting.

4. Budget Advisory Board

Action: Deferred.

5. Community Appearance Board

Action: Deferred.

6. Community Services Board

Action: Deferred.

7. Economic Development Advisory Board

Action: Deferred.

8. Education Advisory Board

Commissioner Hutchinson suggested the appointment of Egle Gallagher and Lincoln Pastuer to the Education Advisory Board.

Action: Formal action to be taken at Regular Meeting.

9. Historic Preservation Board

Mayor Naugle wanted to reappoint Clay H. Wieland to the Historic Preservation Board. Commissioner Katz wished to reappoint Tom Tatum, and Commissioner Smith wanted to reappoint Charles Jordan.

Action: Formal action to be taken at Regular Meeting.

10. Marine Advisory Board

Action: Deferred.

11. Northwest-Progresso-Flagler Heights Redevelopment Advisory Board

The Commission wished to reappoint William S. Cone, Sr., Laura Mutti, David Damerau, Les Lambert, Lennard Robinson, James C. Brady, Tim Hernandez, Lisa Rogers Cherry, George Burrows, Peter Feldman, Maria Freeman, Stan Brown, Jerry Carter, and Sean Jones to this Board.

Action: Formal action to be taken at Regular Meeting.

12. Planning and Zoning Board

Commissioner Moore wished to reappoint Kenneth Hawkins to the Planning & Zoning Board.

Action: Formal action to be taken at Regular Meeting.

13. Unsafe Structures & Housing Appeals Board

Action: Deferred.

IV – City Commission Reports

1. The Ship “St. Louis”

Mayor Naugle reported that the survivors of the “St. Louis” had held a convocation at the Airport Hilton over the weekend. It had involved the ship off the coasts of Cuba and the United States in 1939, which had been refused entry. There had been more than 900 Jewish passengers on the ship, which had been turned back to Europe, and many had perished during the Holocaust. Mayor Naugle stated that 42 survivors and their families had been present at the ceremony last night. He felt children should be educated in this respect so it never happened again.

Action: None.

2. CAP Meeting at Stranahan High School/Traffic Plan for the City

Mayor Naugle believed all of the Commissioners had attended the CAP meeting held at Stranahan High School, and it had been well attended. He felt a comprehensive plan should be developed with respect to traffic, with the involvement of the Metropolitan Planning Organization, the Downtown development Authority, neighborhood associations, the Uptown Business Association, the Chamber of Commerce, the Department of Transportation, the Planning & Zoning Board, and the Las Olas Boulevard and Andrews Avenue Business and Merchants Associations.

Mayor Naugle had spoken with the City Manager about the idea being used in Orlando with remote parking that intercepted traffic at the entrances to the downtown area. Another concept was working together to stagger work hours of employees of the County, the School Board, etc.

At 4:12 P.M., Commissioner Moore left the meeting. He returned at 4:14 P.M.

Mayor Naugle noted that some sort of mass transit system was being considered in connection with the Airport Expansion Plan, but mass transit was something that would make a real difference in the quality of life in the future. He believed there was a lot of anxiety about traffic in the community, and he thought the traffic issues alone should be examined in a comprehensive fashion with the involvement of as many groups as possible. Commissioner Hutchinson thought that was a great idea. Mayor Naugle wanted to consider everything including water taxis, bicycle lanes, and shower facilities in office buildings so people would use these methods of transportation.

Mayor Naugle noted that this could be part of the City's 100th birthday plans and activities in which Commissioner Smith was involved. Commissioner Smith agreed he had been working on a similar proposal with respect to having the trolley system in place by 2011. He stated that he had reached out to a number of citizens who had knowledge in the transportation discipline, including Barbara Curtis, Bob VanFleet, Paul Carpenter, Tom Gustafson, Bruce Wilson and Kristen Jacobs to serve on a citizen committee to address mass transit in the downtown area and the beach.

Mayor Naugle asked the City Manager to develop a proposal for consideration. The City Manager believed he could present a format on June 19, 2001. He noted that people who worked in Fort Lauderdale impacted the City, so it was not just residents who were affected. Mayor Naugle suggested that the FEC Railroad also be asked to participate.

Action: City Manager to present proposal on June 19, 2001.

3. Hurricane Shelters

Mayor Naugle said he had seen a list of hurricane shelters in the newspaper, and he had learned that there were only 12 shelters in Broward County this year, and the locations had been switched around. He understood there were 43 shelters in Dade County even though the population was 2 million, as compared to Broward's population of 1.6 million. Mayor Naugle requested an update in this regard because he was worried about the number of shelters and their locations. It was his understanding that a liaison person was assigned from the Fire Department, and the City Manager stated the liaison was Deputy Chief Rhoda Kerr. However, as far as the assignment and location of shelters, that was handled by the County and the Red Cross. The City Manager noted that Dade County had different challenges in terms of population centers, but he believed he could obtain some information.

Mayor Naugle asked that the map showing the shelters be distributed and that information be provided to the public through cable television, etc. The City Manager stated that this was typically handled by the County, but if a public information program was necessary just for residents of Fort Lauderdale, it would be addressed. Mayor Naugle thought some time on cable could be provided to discuss the CERT Program and emergency preparedness.

Action: As discussed.

4. Parking Lots in Historic District

Commissioner Hutchinson requested an item be scheduled for Conference discussion with respect to surface parking lots in the Historic District.

Action: Item to be placed on Conference Agenda.

5. Riverland Shopping Center

Commissioner Hutchinson desired an update on the Riverland Shopping Center.

Action: Update to be provided.

6. Driveway Access – Non-Conforming Lots

Commissioner Hutchinson noted that in some of the older neighborhoods in the City, particularly along the water, non-conforming lots shared access driveways. She had spoken to the City Manager in this regard, and the individual who had raised the situation had been Dave Marshall – a resident of Riverside Park. According to the Zoning Administrator, there was a simple process involved.

Mr. Greg Brewton, Zoning Administrator, said a tremendous change to the Code would not be necessary, but there were landlocked lots in the southwest part of the City. As the Code was currently written, these lots were non-conforming because they did not front on public streets. He believed that when they had been originally developed, the front and back properties had been owned by the same owner. However, over time, the properties had been resold individually. Mr. Brewton thought the proper approach would be to craft a Code amendment that was specific to this location because it would not be appropriate in the entire City.

Mayor Naugle asked if someone could currently build multiple houses even if they could not be sold separately. In fact, he believed that had been allowed in the past 15 years. Commissioner Hutchinson thought it might have been allowed when there had been a single owner. Otherwise, the lots had to be replatted.

At 4:26 P.M., Commissioner Moore left the meeting.

Mayor Naugle understood replatting was not required if there was a single owner. Mr. Brewton agreed that was correct, although it would not meet subdivision regulations as they currently existed. Commissioner Hutchinson stated that the areas affected by this were very limited. She advised that an outside attorney had also agreed to assist with this process because of staff's time constraints. She did not think this was something that should be 4 years out on the Pending Items List. Mayor Naugle agreed this should be addressed now since it would not take very much time. He suggested that Commissioner Hutchinson work with the City Attorney to see if there was some simple way to resolve the issue. It was agreed.

Action: Commissioner Hutchinson to work with City Attorney on Code amendment.

7. Birch State Park/Hall of Fame

Commissioner Hutchinson said she had received some information about Birch State Park and the International Swimming Hall of Fame (ISHOF). The City Attorney understood the question was whether or not there could be a referendum to change the use of properties. He explained that properties over which the City had control was one thing, but Birch State Park was not owned by the City and subject to major deed restrictions. The City Attorney stated that staff could look into it. Commissioner Smith understood this related to relocating the Hall of Fame to the Birch State Park property.

Action: City Attorney to follow up.

8. Drainage/Letter from Frank Abdo

Commissioner Hutchinson said she kept receiving letters from Mr. Abdo about drainage. She asked for either a Conference discussion or a staff report about why she kept receiving all this correspondence. Mayor Naugle did not think the photographs depicted such a terrible situation. Commissioner Hutchinson agreed but desired a report. Commissioner Smith suggested a "Friday memo" in this regard.

Action: Staff to report.

9. Speed Humps – Northwest 18th Street

Commissioner Smith stated that a citizen had requested a moment to address the Commission. Ms. Vivian Dempsey reported that a contactor had been located, and she would volunteer to pay for the speed humps on 18th Street. She stated that there was a school at the corner, and Ms. Dempsey requested permission from the Commission to proceed. Commissioner Smith said that Ms. Dempsey had been under the impression this would be on the agenda today due to some miscommunication.

Ms. Dempsey explained that she had found a contractor who would do the work at lesser cost in accordance with the specifications. Mr. Kisela stated that staff would have to ensure the contractor was bonded and insured because there was liability associated with any work in the right-of-way. Ms. Dempsey reported that the contractor had been in business since 1973. It was the consensus of the Commission to place this on the June 19, 2001 Consent Agenda to obtain public input.

Action: To be placed on June 19, 2001 agenda.

10. Cable Television Services

Commissioner Smith felt AT&T Broadband had gotten off to a bad start. In fact, he had waited 45 minutes on the telephone to obtain additional cable service. He noted that Mayor Naugle had circulated an article about some communities using satellite dishes to provide service, and he wondered if there was any alternative to this monopoly. Mr. Bruce Larkin, Director of Administrative Services, agreed some small cities had partnered with Direct TV and others to put pressure on local cable television companies. He noted that there would be an agenda item related to AT&T on June 19, 2001, and he could provide additional information in this regard at that time.

At 4:40 P.M., Commissioner Moore returned to the meeting.

Mayor Naugle thought some type of City solicitation could be included on utility bills about satellite service to bring in some competition. Commissioner Smith agreed competition was necessary. Mayor Naugle stated that there had been a huge price increase to customers, and AT&T had not been responding very well to requests from citizens. Commissioner Smith thought that when there were operational problems as there had been last week, in which the company could not answer its phones, the City should be notified so information could be distributed via the government channel.

Commissioner Moore was very concerned about this entire process. He felt Fort Lauderdale should build relationships with other municipal governments. He advised that he served on the National League of Cities Information & Technology Communication Committee, and the majority of its members did not think the contract should be extended. Commissioner Moore thought that extending the contract would only encourage investment in areas where contracts were not being extended. He reported that the incoming President of the Broward League of Cities had asked him to Chair the Information & Technology Committee in Broward County, and he thought a partnership should be formed to consolidate populations for a competitive build out.

Commissioner Smith agreed Fort Lauderdale should reach out to other nearby cities. Commissioner Moore felt that could be accomplished through the League of Cities because there were other communities experiencing similar problems and competition was the key. He agreed to take the lead and follow up on that possibility, and he wanted to involve the consultant and Mr. Larkin in order to evaluate the alternatives fairly.

Mr. Larkin stated that this issue had been advertised for a public hearing this evening, and the consultant had recommended extension of time for RCN. That company had been exploring a regional system that would extend from Miami to Palm Beach. He stated that RCN was the largest and best capitalized over builder in America.

Mayor Naugle suggested that the public hearing scheduled for tonight be deferred while the options were explored. Commissioner Moore preferred that to extending the contract. Mr. Larkin noted that the franchise agreement called for a payment of \$50,000 on July 1, 2001 at the City's request toward public education and government programming under the assumption the system would be built. The franchise agreement also called for construction to commence by July 18, 2001. As long as the City would not hold the company in default, he believed RCN would be willing to work together. Commissioner Moore did not wish to extend the contract, and he felt it would be appropriate not to request the \$50,000 payment at this time. Mr. Larkin added that for every customer who switched from cable to satellite television, franchise fees paid to the City were lost.

Action: As discussed.

11. Birch/Las Olas Lot – Request for Proposals (RFP)

Commissioner Smith was concerned about the RFP process associated with the Birch/Las Olas Lot. Mr. Witschen advised that staff was working with the 2 active proposers, and they planned to bring the issue to the Commission in July. Commissioner Smith understood a City staff member had tried to derail one of the proposals. Commissioner Katz asked if both proposers had received all the necessary information. Mr. Witschen replied they did not yet, but they would have all the information by Friday. The City Manager said that when he had become aware that some felt the approach had not been balanced, he had taken steps, and a report would be presented in July.

Action: Report to be presented in July.

12. Traffic Plan – Andrews & 3rd Avenues

Commissioner Smith said that there was a large amount of right-of-way on the County's Trafficways Plan for Andrews and 3rd Avenues, which was wreaking havoc with some new projects. He felt the way to resolve it was to remove those streets from the Trafficways Plan with a reasonable dedication of 70' of right-of-way. The City Manager did not think it would be a problem. Mayor Naugle suggested that input be sought from the Planning & Zoning Board before it was presented to the Commission. Commissioner Smith was sure everyone knew 106' of right-of-way would never be necessary.

Action: Input of Planning & Zoning Board to be requested.

13. Northeast 15th Avenue Speed Humps

Commissioner Smith recalled a difficult vote in the Victoria Park neighborhood about speed humps on Northeast 15th Avenue. Although the neighborhood wanted the speed humps and had agreed to pay for them, a hurdle had been encountered from Broward County Transit because of the buses. The City Manager believed it was a matter of County policy, but he would contact the appropriate staff to pursue the matter.

Action: City Manager to follow up.

14. City's 100th Birthday Goals

Commissioner Smith felt a short set of goals to be achieved by the City's 100th Birthday in 2011 should be developed collectively by the Commission. He had tried to identify the major goals of the Commission in order to develop some sort of initiative. Commissioner Katz stated that the urban design issue for a livable City included mass transit. Commissioner Smith wanted to put a focus on major issues. For example, he knew that the revitalization of Sistrunk Boulevard was a major concern for Commissioner Moore, and that could be one of the five major goals. He pointed out that Commissioner Hutchinson was concerned about revitalization of State Road 84 as well.

Commissioner Katz thought it was a good idea, and she hoped to look at the design criteria at the June 19, 2001 meeting. She hoped to address building design, landscaping, pedestrian walkways, arcades, connections between areas, etc. Commissioner Smith felt this livable City proposal could be the initiative he envisioned as long as all of the major components were included. Mayor Naugle said he had sent Commissioner Katz some literature from the National League of Cities with regard to "Smart Growth" because cities around the country were doing these things, and there were a lot of good ideas. Commissioner Katz agreed and noted that mass transit was a major component.

Commissioner Smith wondered if Mr. Partington could arrange an initial meeting about mass transit in order to "jump start" the process. He felt that if the City had a vision about mass transit, particularly downtown and in the beach area, there would be a lot of County participation. Commissioner Smith stated that Kristen Jacobs had agreed to assist and was pushing it at the County level. She had indicated that a pilot project should be initiated in some City within Broward that would be funded by the County. He felt Fort Lauderdale should be that City. Commissioner Smith had developed a suggested list of people who could participate in an initial meeting, and he felt a small group would be more productive than a large group.

The City Manager said he would contact each Commissioner between now and presentation of a report to obtain suggestions for participants. Commissioner Katz noted that an oversight committee had been formed with representation from the Downtown development Authority, an architectural design group, Florida Atlantic University and some others, and it took time to coordinate everyone's interests. However, a plan had been put together that would be presented at the next Commission meeting.

Action: As discussed.

15. Railroad Right-of-Way/Dixie Highway

Commissioner Katz inquired about the railroad right-of-way along Dixie Highway between Commercial Boulevard and 62nd Street. Mr. Kisela stated that a dialogue had been opened with Oakland Park and the Railroad, and he would provide an update.

Action: Staff to provide an update.

16. Martin Luther King, Jr. (MLK) Committee

Commissioner Moore reported that the MLK Committee concept was working very well under the Chair of Richard Kurtz, and a meeting was scheduled for June 18, 2001 among all the groups involved in the MLK celebration in central Broward County. He said he would present a full report on a possible Citywide or "Greater Fort Lauderdale" event in September.

Action: Report to be presented in September.

17. Northwest 19th Street

Commissioner Moore reported that the community had formed a group of homeowners' associations to address the median on Northwest 19th Street. Those involved included Lauderdale Manors, Lake Aire and Golden Heights, and there had also been participation by the School Board and County Commissioner Eggelton. Mayor Naugle pointed out that the western half of the street was in an unincorporated area, and he suggested that the City of Lauderdale Lakes be invited to participate. Commissioner Moore had no objection, although he preferred to "get his house in order" first. He hoped to get this done no later than September.

Action: As discussed.

18. Retirement Party – Chief Brasfield

Commissioner Moore suggested consideration of a retirement party for Chief Brasfield in tandem with a welcome party for Ernest Burkeen, the new Parks & Recreation Director. Mayor Naugle suggested the Fire Chief arrange a barbecue.

Action: None.

19. "Real Men Cook" Fundraiser

Commissioner Moore noted that he had planned to speak to the Fire Chief about the "Real Men Cook" Father's Day fundraiser. He extended an invitation to the City Manager as well. It was scheduled at Florida Memorial College in Miami, and participants would cook dishes for sale to raise scholarship money. Commissioner Moore stated that the Fire Chief was a wonderful cook, and he had been working on a special dish himself to compete.

Action: None.

V – City Manager Reports

1. New Parks & Recreation Director

The City Manager welcomed Ernest Burkeen, the new Parks & Recreation Director, who had joined the City officially on Monday.

Action: None.

2. International Police Chiefs' Association

The City Manager thanked the City Commissioners who had spoken to the International Police Chiefs' Association, which would be conducting the search for a new Police Chief. He advised they would be back again for additional information.

Action: None.

At 5:20 P.M., the Conference meeting was adjourned so the City Commission could meet privately regarding litigation strategy in connection with Oldoni and L. J. O. Recycling, Inc. v City of Fort Lauderdale et al (Case No. 95-10757).

NOTE: A MECHANICAL RECORDING HAS BEEN MADE OF THE FOREGOING PROCEEDINGS, OF WHICH THESE MINUTES ARE A PART, AND IS ON FILE IN THE OFFICE OF THE CITY CLERK FOR A PERIOD OF TWO YEARS.